



**Cincinnati Retirement System
Rules of the Board of Trustees**

September 4, 2014

**Cincinnati Retirement System
Rules of the Board of Trustees**

Table of Contents

Rule I	Order of Business	2
Rule II	Rules of Order	2
Rule III	Meeting Place and Time	2
Rule IV	Open Meetings	2
Rule V	Special Meetings	2
Rule VI	Election of Chair and Vice-Chair	3
Rule VII	Employee Election of Trustee	3-7
	Retired Member Election of Trustee	7-11
Rule VIII	Committees	12
Rule IX	Matters Referred to Committees	12
Rule X	Attendance	12
Rule XI	Special Hearings-Procedures	12-13
Rule XII	Policies and Procedures for Determination of Disability	13
Rule XIII	Review of Benefits	13
Rule XIV	Delegation of Functions	14
Rule XV	Investment Objectives and Policies	15
Rule XVI	Return of Contributions	15
Rule XVII	Member Handbook	15
Rule XVIII	Annual Disclosure of Financial, Actuarial and Operational Status	16
Rule XIX	Annual Report	17
Rule XX	Benefit Estimates	17
Rule XXI	Trustee Education	17
Rule XXII	Annual Evaluation of Pension Manager and Retained Fiduciaries	17
Rule XXIII	Adoption of Amendment of the Revised Rules	17

**Cincinnati Retirement System
Rules of the Board of Trustees**

Rule I Order of Business

- A. Noting of Attendance
- B. Approval of Minutes
- C. Approval of Consent Agenda
- D. Statement of the Finance Department
- E. Reports of the Secretary and the Committees
- F. Unfinished Business
- G. New Business
- H. Communications
- I. Adjournment

Rule II Rules of Order

The Board of Trustees of the Retirement System adopts *Robert's Rules in Plain English* by Doris P. Zimmerman (Scott, Foresman 1997)

Rule III Meeting Place and Time

Regular meetings of the Board of Trustees are held on the first Thursday of each month at 2:00 P.M. in City Council Committee Room B, unless the Monday, Tuesday, Wednesday, or Thursday of that week is a City holiday, in which event the regular meeting shall be held on the first Friday of that month at 2:00 P.M. in the City Council Committee Room B. Seven members of the Board constitute a quorum.

Rule IV Open Meetings

All meetings of the Board and its Committees are open to the public, except that the Board and its Committees may adjourn into Executive Session under circumstances permitted under Ohio Revised Code Section 121.22. The Secretary has the duty to cause minutes to be prepared of all meetings and keep the minutes available to the public.

Rule V Special Meetings

Special meetings of the Board of Trustees may be held at the call of the Chairman or on written demand, signed by two Trustees, filed with the Secretary of the Board of Trustees not less than 24 hours before the time of the meetings, and not less than 12 hours notice to each member. The call for the meeting must state the time, date, location, and subjects to be considered at the meeting and be posted on the City Web Page, in compliance with Ohio Revised Code Section 121.22. No other subject may be discussed except with the approval of a majority of the Board.

Cincinnati Retirement System Rules of the Board of Trustees

Rule VI Election of Chair and Vice-Chair

Each December of the even-numbered years, the Board shall elect one of its members as Chair and another as Vice-Chair, to serve for two-year terms. If a vacancy in the office of the Chair occurs, then the Vice-Chair shall succeed the Chair. The Board shall elect a member to fill any unexpired term of the Vice-Chair.

Rule VII Elections of Trustees

EMPLOYEE TRUSTEE ELECTION

Candidates who may or may not be members of the Cincinnati Retirement System, shall be elected by CRS active members.

Every full-time employee, part-time employee, seasonal employee employed as of the date of the close of the election, and newly-hired employee who has actually started to work as of the date of the close of the election shall be eligible to vote in the employee election of two Board trustees. Additionally, ballots for the employee-elected trustees shall be provided to each employee who is classified as a deferred retiree and to every employee on leave of any type as well as on vacation. This includes contributing members to the Cincinnati Retirement System employed by the City of Cincinnati, University of Cincinnati Medical, and University of Cincinnati College.

Ballots shall be sent by U.S. mail first-class. Ballots shall contain a water mark, imprinted on the ballot in a location and of a design as determined by the Administration of the Retirement Department. Official election return envelopes shall be imprinted with a series of numeric characters and sequentially numbered in a location and of a design as determined by the Administration of the Retirement Department.

Returned election ballots must be contained within a sealed, official return envelope. Copied ballots, reproduced ballots, or ballots in unsealed envelopes or unofficial return envelopes will not be deemed valid and will not be counted.

A. Nomination Notice

- 1) Notice of the opening of nominations shall be prepared and distributed by the Retirement Department.
- 2) By the second Thursday in July the notice of the opening of the nomination process shall be sent via email to all departments, boards, and commissions of employees and contributing members eligible to vote.
- 3) It shall be the responsibility of these departments, boards and commissions to ensure the distribution and posting of this notice.
- 4) The Nomination Notice shall contain the deadline for nominations, the deadline for candidates' position papers, the date for the posting of the confirmed candidates' names, the opening and closing dates of the election, and the contact person's name, telephone number and email address within the Retirement Department.

**Cincinnati Retirement System
Rules of the Board of Trustees**

B. Nominations

- 1) Nomination Petition Forms can be obtained from the Retirement Department office or website.
- 2) Completed nomination petition forms shall contain on each page the name of the candidate, the position the candidate is seeking, and the deadline for submission of candidate's position paper.
- 3) Nomination shall require no less than 25 signatures and printed names of those meeting the qualification to vote in the active member election of a trustee.
- 4) Along with the nomination form, each candidate shall provide the Retirement Department with his or her official home address, his or her email address if applicable, his or her telephone number, and his or her personal cell phone number if applicable. If employed, each candidate shall provide his or her employer's name, address, phone number, his or her title, and years employed. If retired, each candidate shall provide the business or department retired from, official title at the time of retirement, the number of years employed, and the year of retirement.
- 5) Nomination petition forms shall be RECEIVED and date-stamped by the Retirement Department (Room 240 City Hall) no later than 4:00 p.m. on first Monday of August.
- 6) The Retirement Department shall authenticate each name on the petitions and all signatures, and shall notify the candidate within two work days if there are not enough legible or valid names on the petitions.
- 7) The list of validated candidates' names shall be posted on the Retirement Department's web page within 5 business days after the closing of the nominations.
- 8) If only two candidates are nominated by the deadline, and each nomination form contains the minimum 25 validated signatures, the election shall be declared closed and the two candidates declared the winners. The winners shall be assigned 4-year terms.

C. Candidates' Position Papers

- 1) Each candidate shall provide the Retirement Department with a position paper in Microsoft WORD format or hard-copy, containing no more than 200 words, on only one (1) page, no later than 4:00 p.m. on the first Monday in August.
- 2) Each position paper can be emailed, faxed, mailed via interoffice mail, U.S. mail, or hand delivered.
- 3) Candidates' position papers sent by U.S. mail must be RECEIVED and date-stamped by the Retirement Department no later than the deadline.
- 4) Candidates' position papers shall be included with each ballot.
- 5) Candidates' position papers shall not contain any profanity or derogatory comments regarding other candidates.
- 6) A candidate's failure to submit a position paper meeting the above-listed criteria by the listed deadline shall result in invalidation of his or her candidacy.

D. Ballots

- 1) The position of the name of each candidate shall be rotated on the ballots so that no single candidate's name shall appear as the first name a greater number of times than the other candidates' to the extent feasible.
- 2) A space shall be provided for the name of a "write in" candidate. An employee may vote for two candidates.
- 3) Ballots shall not be reproduced nor copied.

**Cincinnati Retirement System
Rules of the Board of Trustees**

- 4) A ballot with more than two votes will be deemed invalid.
- 5) Ballots shall be mailed by first-class U.S. mail by the third Monday in August.
- 6) Employees not receiving a ballot at the address of record may request a duplicate ballot.
- 7) Request for a duplicate ballot shall be submitted to the Retirement Department. .
- 8) A duplicate ballot shall be of a different color and marked "DUPLICATE"
- 9) A duplicate ballot shall be mailed to the employee's home address, or picked up in person at the Retirement Department, Room 240, City Hall. The person picking up the duplicate ballot must sign a Duplicate Authorization form.
- 10) The CRS Board, the Retirement Department, and the Election Committee assume no responsibility if the duplicate ballot is not returned by the deadline.
- 11) Ballots shall be returned only in the official election return envelope provided.
- 12) Ballots in the official election return envelope shall be returned by U.S. first-class mail, interdepartmental mail, or deposited directly into the locked "Ballot Box" contained within the Retirement Department, front desk area, in Room 240, City Hall.
- 13) Returned ballots in the official election return envelope shall remain secure within the locked ballot box, within the vault of the Treasurer of the City of Cincinnati, during non-business hours.
- 14) Returned ballots shall be signed for and released to the Chair of the Election Committee on the day of the counting of ballots.
- 15) The two candidates with the highest number of votes shall be declared the winners of the election.

E. Election

- 1) The election shall be open by the third Monday in August and remain open for at least 21 days.
- 2) The election shall continue for at least 21 days and close on the third Monday of September at 4 P.M. All ballots must be received and date-stamped by the Retirement Department by the third Monday of September at 4PM.

F. Counting of Ballots

- 1) The ballots shall be counted within 3 business days after the close of the election.
- 2) The Retirement Department shall notify the candidates seeking election of the time and location for the counting of ballots.
- 3) Each candidate shall have the opportunity to attend and witness the counting of ballots, or, prior to the initiation of the counting process, to designate a proxy as their official representative to attend and witness the counting of the ballots.
- 4) The chair of the Election committee shall declare the Election Committee closed for the purpose of the "counting of the ballots." The Chair of the Election Committee shall brief the candidates or the proxies of a candidate on the procedure for the count, as well as the appeal process regarding the count. During the counting process the candidates or their proxies shall remain seated in their assigned seat. The counting of ballots or any other item regarding the counting shall remain confidential. If a candidate or his or her proxy violates the rules of the election count or disrupts the proceedings, the candidate shall be declared disqualified by the Election Committee.
- 5) No other persons other than the candidates or their proxies, the Election Committee Members, and any designated assistants, shall be present during the count.
- 6)

Cincinnati Retirement System Rules of the Board of Trustees

- 7) The Election Committee shall open to the public their Special Election Committee meeting after completion of the count. A report shall be submitted for the Committee's consideration and approval pertaining to the summary count of issued ballots, returned valid ballots, invalidated ballots, duplicate ballots issued, duplicate ballots returned, and write-in ballots. The Election Committee shall declare the winners of the election.

G. Tied Vote Results

If two candidates tie in the count of valid ballots received, the following process shall be used to resolve the tie.

- 1) The Chair of the Board of Trustees shall set the time and location for resolving a tie.
- 2) Both candidates involved in the tie shall be present at the meeting to resolve the tie.
- 3) A tie shall be resolved by the Board Chair flipping a coin, once.
- 4) The candidate having the greater time as a member of the CRS shall call the coin while still in the air. If one of the candidates is not a current or former employee of the City of Cincinnati, the candidate with any City service shall call the coin while still in the air.
- 5) The coin shall fall to the ground.
- 6) The candidate whose side lands face up shall be declared the elected candidate.

H. Taking of Office

- The Election Committee shall declare the two candidates with the greatest number of valid votes as the winners of the election. In the instance of tied vote results among the candidates receiving the highest totals of votes, the winner of the tie shall be declared the winner.
- A notary provided by the City shall administer the oath of office at the next regularly scheduled Board of Trustees meeting. The newly elected trustee(s) may then be seated as well as vote at all board meetings.

I. Disqualification from Candidacy and as a Board Trustee

A candidate shall be disqualified from seeking election to the Board, or remaining as a Board Trustee for any of the following:

- 1) Civil conviction for Dishonesty or disciplinary decision confirming dishonesty.
- 2) Conviction of a felony, as an adult.
- 3) Failure of compliance with these election requirements

VACATED UNEXPIRED TERMS:

Term with Less Than 6 Months Remaining

- 1) If the vacated unexpired term has less than six (6) months remaining from the effective date of the vacancy, but more than 90 days, till the scheduled election close date, the remainder of the unexpired term may be filled, with Board approval, by the candidate having received the next highest number of votes from the type of trustee position vacated from the previous election.

Cincinnati Retirement System Rules of the Board of Trustees

- 2) Such candidate shall be notified by letter of the offering.
- 3) Such candidate shall have three (3) work days to confirm or decline.
- 4) If all available candidates have declined the position, the position shall remain vacant, till filled by means of the scheduled election process.

Term with More than 6 Months Remaining

- 1) If the vacated unexpired term has more than six (6) months remaining from the effective date of the vacancy, till the scheduled election close date, the remainder of the unexpired term shall be filled by a “special UNEXPIRED TERM” election.
- 2) It shall be the Board's determination of the specific “special UNEXPIRED TERM” election close date.
- 3) The process (nominations, candidate position paper, etc.) for a “special UNEXPIRED TERM” election shall follow the same process as described for a scheduled election, with the specific details being based on the type of trustee position vacated (employee or retiree).
- 4) If no candidate is available to fill the vacated unexpired term the Board may leave the position vacant or fill the position by a means as approved by the Board.

RETIREE TRUSTEE ELECTION

Candidates who may or may not be a member of the Cincinnati Retirement System, shall be elected by CRS pensioners.

Every retiree, disability retiree, or beneficiary of a retiree shall be eligible to vote in the retiree election of a Board Trustee. This includes retired members to the Cincinnati Retirement System retired from the City of Cincinnati, University of Cincinnati-- Medical, University of Cincinnati- College, and Hamilton County.

Ballots shall be sent by U.S. mail first-class. Ballots shall contain a water mark, imprinted on the ballot in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election. Official election return envelopes shall be imprinted with a series of numeric characters and sequentially numbered in a location and of a design as determined by the Administration of the Retirement Division, and changed with each election.

Returned election ballots must be contained within a sealed, official return envelope. Copied ballots, reproduced ballots, or ballots in unsealed envelopes or unofficial return envelopes will not be deemed valid and will not be counted.

E. Nomination Notice

- 1) Notice of the opening of nominations shall be prepared and distributed by the Retirement Division.
- 2) Notice shall be mailed by U.S. first-class mail by the second Thursday in July.
- 3) The Nomination Notice shall contain the deadline for nominations, the deadline for candidates' position papers, the date for the posting of the confirmed candidates' names, the opening and

Cincinnati Retirement System Rules of the Board of Trustees

closing dates of the election, and the contact person's name, telephone number and email address within the Retirement Division office.

- 4) The Nomination Notice for the opening of the nomination process shall be distributed to all individuals receiving a retirement pension from the CRS.

F. Nominations

- 1) Nomination Petition Forms can be obtained from the Retirement Division office or website.
- 2) Completed nomination petition forms shall contain the name of the candidate and state the position the candidate is seeking on each page.
- 3) Nomination shall require no less than 25 signatures and printed names of those meeting the qualification to vote in the retiree election of a trustee.
- 4) Along with the nomination form, each candidate shall provide the Retirement Division with his or her official home address, his or her email address if applicable, his or her telephone number, and his or her personal cell phone number if applicable. If employed, each candidate shall provide his or her employer's name, address, phone number, his or her title, and years employed. If retired, each candidate shall provide the business or department retired from, official title at the time of retirement, the number of years employed, and the year of retirement.
- 5) Nomination petition forms shall be RECEIVED and date-stamped by the Retirement Division office (Room 240 City Hall) no later than 4:00 p.m. on first Monday of August
- 6) The Retirement Division office shall authenticate each name and all signatures on the petitions, and shall notify the candidate within two work days if there are not enough legible or valid names on the petitions.
- 7) The list of validated candidates' names shall be posted on the Retirement Division's web page within 5 days after the closing of the nominations.
- 8) If only one candidate is nominated by the deadline, and the nomination form contains the minimum 25 validated signatures, the election shall be declared closed and the candidate declared the winner.

G. Candidates' Position Papers

- 1) Each candidate shall provide the Retirement Division office with a position paper in Microsoft WORD format or hard-copy, containing no more than 200 words, on only one (1) page, no later than 4:00 p.m. on first Monday in August.
- 2) Each position paper can be emailed, faxed, mailed via interoffice mail, U.S. mail, or hand delivered.
- 3) Candidates' position papers sent by U.S. mail must be RECEIVED and date-stamped by the Retirement Office no later than the deadline.
- 4) Candidates' position papers shall be included with each ballot.
- 5) Candidates' position papers shall not contain any profanity or derogatory comments regarding other candidates.
- 6) A candidate's failure to submit a position paper meeting the above-listed criteria by the listed deadline shall result in invalidation of his or her candidacy.

Cincinnati Retirement System Rules of the Board of Trustees

H. Ballots

- 1) The position of the name of each candidate shall be rotated on the ballots so that no single candidate's name shall appear as the first name a greater number of times than the other candidates' to the extent feasible.
- 2) A space shall be provided for the name of a "write in" candidate. A ballot shall be marked only once, for only one candidate.
- 3) Ballots shall not be reproduced nor copied.
- 4) Ballots shall be mailed by first-class U.S. mail by third Monday in August.
- 5) Retirees not receiving a ballot at the address of record may request a duplicate ballot.
- 6) Request for a duplicate ballot shall be submitted to the Retirement Office.
- 7) A duplicate ballot shall be of a different color and marked "DUPLICATE"
- 8) A duplicate ballot shall be mailed to the retiree's home address, or picked up in person at the Retirement Division office, Room 240, City Hall. The person picking up the duplicate ballot must sign a Duplicate Authorization form.
- 9) The CRS Board, the Retirement Division, and the Election Committee assume no responsibility if the duplicate ballot is not returned by the deadline.
- 10) Ballots shall be returned only in the official election return envelope provided.
- 11) Ballots in the official election return envelope shall be returned by U.S. first-class mail, interdepartmental mail, or deposited directly into the locked "Ballot Box" contained within the Retirement Division office, front desk area, in Room 240, City Hall.
- 12) Returned ballots in the official election return envelope shall remain secure within the locked ballot box, within the vault of the Treasurer of the City of Cincinnati, during non-business hours.
- 13) Returned ballots shall be signed for and released to the Chair of the Election Committee on the day of the counting of ballots.
- 14) The candidate with the highest number of votes shall be declared the winner of the election.

E. Election

- 1) The election shall be open by the third Monday in August.
- 2) The election shall be closed as of 4:00 p.m. by the third Monday in September. All ballots must be received and date-stamped by the Retirement Office by the third Monday in September at 4PM.

F. Counting of Ballots

- 1) The ballots shall be counted within 3 business days after the close of the election.
- 2) The Retirement Division shall notify the candidates seeking election of the time and location for the counting of ballots.
- 3) Each candidate shall have the opportunity to attend and witness the counting of ballots, or, prior to the initiation of the counting process, to designate a proxy as their official representative to attend and witness the counting of the ballots.
- 4) The Chair of the Election committee shall declare the Election Committee closed for the purpose of the "counting of the ballots." The Chair of the Election Committee shall brief the candidates or the proxies of a candidate on the procedure for the count, as well as the appeal process regarding the count. During the counting process the candidates or their proxies shall remain seated in their assigned seat. The counting of ballots or any other item

Cincinnati Retirement System Rules of the Board of Trustees

- regarding the counting shall remain confidential. If a candidate or his or her proxy violates the rules of the election count or disrupts the proceedings, the candidate shall be declared disqualified by the Election Committee. .
- 5) No other persons other than the candidates or their proxies, the Election Committee Members, and any designated assistants, shall be present during the count.
 - 6) The counting of the ballots shall follow the Election Committee policy.
 - 7) The Election Committee shall open to the public their special election committee meeting after completion of the count. A report shall be submitted for the Committee's consideration and approval pertaining to the summary count of issued ballots, returned valid ballots, invalidated ballots, duplicate ballots issued, duplicate ballots returned, and write-in ballots. The Election Committee shall declare the winners of the election.

I. Tied Vote Results

- 1) If two candidates tie in the count of valid ballots received, the following process shall be used to resolve the tie.
- 2) The Chair of the Board of Trustees shall set the time and location for resolving a tie.
- 3) Both candidates involved in the tie shall be present at the meeting to resolve the tie.
- 4) A tie shall be resolved by the Board Chair flipping a coin, once. The Candidate having the greater time as a member of the CRS shall call the coin while still in the air.
- 5) If one of the candidates is not a former employee of the City of Cincinnati, the Board Chair shall designate (in writing) one candidate as "heads" and the other candidate as "tails" and shall flip the coin.
- 6) The coin shall fall to the ground. The candidate whose side lands face up shall be declared the elected candidate.

J. Taking of Office

The Election Committee shall declare the candidate with the greatest number of valid votes as the winner of the election. In the instance of tied vote results, the winner of the tie shall be declared the winner.

- A notary provided by the City shall administer the oath of office at the next regularly scheduled meeting of the Board of Trustees. The newly elected trustee may then be seated as well as vote at all Board meetings.

K. Disqualification from Candidacy and as a Board Trustee

A candidate shall be disqualified from seeking election to the Board, or remaining as a Board Trustee for any of the following:

- 1) Civil conviction for Dishonesty or disciplinary decision confirming
- 2) Dishonesty.
- 3) Conviction of a felony, as an adult.
- 4) Failure of compliance with these election requirements.

**Cincinnati Retirement System
Rules of the Board of Trustees**

VACATED UNEXPIRED TERM:

Term With Less Than 6 Months Remaining

- 1) If the vacated unexpired term has less than six (6) months remaining from the effective date of the vacancy, but more than 90 days, till the scheduled election close date, the remainder of the unexpired term may be filled, with Board approval, by the candidate having received the next highest number of votes from the type of trustee position vacated from the previous election.
- 2) Such candidate shall be notified by letter of the offering.
- 3) Such candidate shall have three (3) work days to confirm or decline.
- 4) If all available candidates have declined the position, the position shall remain vacant, till filled by means of the scheduled election process.

F. Term With More than 6 Months Remaining

- 1) If the vacated unexpired term has more than six (6) months remaining from the effective date of the vacancy, till the scheduled election close date, the remainder of the unexpired term shall be filled by a “special UNEXPIRED TERM” election.
- 2) It shall be the Board's determination of the specific “special UNEXPIRED TERM” election close date.
- 3) The process (nominations, candidate position paper, etc.) for a “special UNEXPIRED TERM” election shall follow the same process as described for a scheduled election, with the specific details being based on the type of trustee position vacated (employee or retiree).
- 4) If no candidate is available to fill the vacated unexpired term the Board may leave the position vacant or fill the position by a means as approved by the Board.

RETENTION AND DESTRUCTION OF BALLOTS AND RETURNED ENVELOPES

The destruction of ballots from elections as well as the envelopes used to return such ballots shall conform to the guidelines and/or retention schedules of the City of Cincinnati Records Retention Committee.

RETIREMENT OR DISMISSAL DURING THE APPOINTED OR ELECTED TERM

- 1) Any employee trustee having been administered the oath of office after the June **2007** election, that retires or leaves employment of the City, U.C. Medical, U.C. College, or Hamilton County, or transfers to a different retirement system shall submit in writing and addressed to the Chair of the Board their resignation from the Board as of the effective date of retirement, transfer or dismissal.
- 2) The application of this section shall be applied prospectively forward, and shall not be applied in retrospect to any trustee before the trustee having been administered the oath of office from the June 2007 election.
- 3) Failure to submit such notification of any item contained within Section 10. Disqualification from Candidacy and as a Board Trustee upon discovery shall result in the immediate submission of a request for a “special Board meeting” for the purpose of discussion of the facts of the discovery and the potential of a recommendation by the Election Committee Chair in the instance of a candidate, or in the instance of a trustee

Cincinnati Retirement System Rules of the Board of Trustees

for any Board member to make a motion to the Board for the immediate removal of such trustee from the CRS Board.

Rule VIII Committees

The Chair shall annually appoint standing Investment, Benefits, Governance, and Elections Committees, comprised of no fewer than three members of the Board. The Chair shall fill any vacancies on committees as they may occur. The Chair may appoint special committees as needed to conduct the business of the Board. The Chair shall designate a member to chair each Committee. The Investment and Benefits Committees shall adopt a regular time and place for meeting. Other Committee meetings are at the call of the Committee Chair. Notice of all committee meetings shall be given in compliance with Ohio Revised Code Section 121.22.

Rule IX Matters Referred to Committees

The Secretary shall present matters immediately to the various committees. The committees are to submit their reports at the next scheduled Board meeting.

Rule X Attendance

Board members have the duty to attend the meetings of the Board and the meetings of such committees as to which they have been appointed. Board members serving ex officio may appoint a representative by proxy to attend, participate, and vote on all issues when such trustees find it impossible to attend any board or committee meeting. The Board may remove from a Board Committee any member who fails to attend in person or by proxy at least three-fifths of the regular and special meetings held by the Board committee during any two-year period.

Rule XI Disability Application and Appeal Process

1) Applications and Audits

- a. Member has 30 calendar days from application date or receipt of audit notification, to meet with the Cincinnati Retirement System's (CRS) Medical Director for a medical evaluation.
- b. Member has 60 calendar days from application date or receipt of audit notification, to have medical records forwarded from their healthcare providers to the CRS Medical Director.

2) Disability Appeals

This rule applies when the Board of Trustees of the Cincinnati Retirement System either denies an application for a disability retirement benefit pursuant to CMC §203-41 or terminates a disability retirement benefit pursuant to CMC §203-53 and §203-55.

**Cincinnati Retirement System
Rules of the Board of Trustees**

- a. After the Board of Trustees has either denied an application for or terminated a disability retirement benefit, the member shall be notified in writing, via USPS Certified Mail within 7 calendar days of such action.
- b. The notification shall include the following information:
 - i. The Board of Trustee's denial or termination of the disability retirement benefit;
 - ii. The member's right to Request an Appeal by providing additional medical evidence. Such an Appeal Request shall be received by the CRS Administrative Office no later than 30 calendar days from the date of the notice of denial, or termination;
 - iii. Failure of a member to submit an Appeal Request within 30 calendar days shall make the Board of Trustee's action final as to such application;
 - iv. Such additional medical evidence relative to the Appeal Request shall be current medical evidence documented by a licensed physician specially trained in the field of medicine covering the illness or injury for which the disability is claimed and such evidence has not been considered previously by the Benefits Committee and/or the Board of Trustees;
 - v. Member has 60 calendar days from the CRS Office's receipt of the Appeal Request to provide additional medical evidence. Failure to provide the additional medical evidence within the 60 calendar days, shall make the Board of Trustee's action final to such application or benefit unless an extension for submission of such evidence has been requested and granted by Administration;
 - vi. After submission of additional medical evidences as described in paragraph (2,b,iv) of this rule, all evidence shall be reviewed by the CRS Medical Director who shall submit a recommendation to the Benefits Committee and/or the Board of Trustees. The Board of Trustees shall make its recommendation at the next regular Board of Trustees meeting. The decision of the Board of Trustees shall be final.
- 3) Request for Extension – The Request for Extension provides the member additional time to gather medical documentation.
 - a. Member has 30 days to provide additional medical evidence.
 - b. Request must be submitted in writing.
- 4) Reapplication by an Active or Terminated Member Following a Denial
 - a. Member may reapply for disability retirement if they can prove the initial documented condition(s) have progressed or additional condition(s) have been identified.
 - b. Medical Director to assess the new medical evidence to determine if the reapplication criteria have been met.

**Cincinnati Retirement System
Rules of the Board of Trustees**

5) Terminated Employees - Disability Application

- a. Member has 24 months from their employment termination date to apply for disability. Member must prove that the disabling condition existed while employed.

6) Effective Date of Approved Disability Retirement

- a. Disability Application - Employee's disability retirement effective date is the 1st of the month following their disability application date or their employment termination date – whichever is later.
- b. Appeal of Denied Disability Application - The effective date of an Appeal that has been approved will be retroactive to the 1st of the month following their original disability application date or their termination date – whichever is later.
- c. Appeal of Denied Disability Audit - The effective date of an Appeal that has been approved will be retroactive to the 1st of the month following the termination of their most recent audited disability retirement benefit.

Rule XII Policies and Procedures for Determination of Disability Benefits

The Benefits Committee shall recommend to the Board and the Board shall adopt policies and procedures for determination of disability benefits.

Rule XIII Review of Benefits

At least once every two years, the Board shall evaluate current benefits of the Retirement System and report to Council its recommendations for any improvements or changes. This evaluation shall also consider ways and means of financing these changes and any effect on the unfunded liability of the Retirement System.

Rule XIV Delegation of Functions

- A. The Board may delegate functions that prudent trustees acting in a like capacity and familiar with those matters could properly delegate under the circumstance.
- B. The Board shall exercise reasonable care, skill, and caution in:
 1. Selecting a service provider, an agent or other person to perform duties it delegates;
 2. Establishing the scope and terms of the delegation, consistent with the purposes and terms of the Retirement System; and
 3. Periodically reviewing the service provider or agent's performance and compliance with the terms of the delegation.

Cincinnati Retirement System

Rules of the Board of Trustees

- C. Every agreement for the retention of a service provider or agent shall prohibit the service provider or agent and the employees and subcontractors of a service provider or agent engaged in providing goods or services to the Retirement System from directly or indirectly giving, soliciting or receiving or in any manner being concerned in giving, soliciting or receiving any assessment, subscription or contribution for any political party in the City of Cincinnati or Hamilton County or for any candidate for public office in the City of Cincinnati or Hamilton County.
- D. Every agreement for the retention of an agent shall prohibit the agent from paying any finder's fee or commission based on obtaining the agreement with the Retirement System to any person other than:
 - 1. An employee of the agent, or
 - 2. A person whose identity and the basis for compensation is disclosed in writing to the Retirement System prior to entering into the agreement.
- E. Every agreement for the retention of an agent shall provide that any action arising out of the agreement shall be brought in Hamilton County, Ohio and that the agent shall accept the jurisdiction of the courts of Hamilton County, Ohio.
- F. Every agreement for the retention of an agent shall obligate the agent to abide by the City of Cincinnati's policies for economic inclusion of small, minority and women's business firms.
- G. Every agreement for the retention of an agent shall clearly identify the responsibilities of the agent and state the standards by which the agent's performance shall be evaluated.

Rule XV Investment Objectives and Policies

The Board shall adopt a statement of investment objectives and policies for the Retirement System. At least annually, the Board shall review the statement and change or reaffirm it.

Rule XVI Return of Contributions

The Board may return a contribution with interest or make alternative arrangements for reimbursement, if the Board determines the contribution was made because of a mistake of fact or law.

Rule XVII Handbook

- A. The Secretary shall prepare and send a Member Handbook to all active members. The Member Handbook shall include a summary description of the rights and obligations of members of the Retirement System and be prepared in accordance with this Rule.

**Cincinnati Retirement System
Rules of the Board of Trustees**

- B. The Secretary shall furnish to each member a copy of an updated Member Handbook that integrates all modifications and changes to the rights and obligations of members of the Retirement System, at intervals not exceeding five years.
- C. The Secretary shall furnish each new active member a copy of the most recently published Member Handbook, along with a summary description of any modifications or changes to the rights and obligations of members of the Retirement System since the date of publication.
- D. The Member Handbook and the summary description of modifications or changes are to be written in a manner calculated to be understood by the average member and be accurate and sufficiently comprehensive reasonable to inform the members and beneficiaries of their rights and obligations under the Retirement System.
- E. The Member Handbook must contain:
 - 1. A description of the Retirement System's requirements regarding eligibility for participation and benefits;
 - 2. A description of the benefits provided by the Retirement System, including the manner of calculating benefits and any benefits provided for spouses and survivors;
 - 3. The procedure to claim benefits under the Retirement System and the administrative procedures available under the program for the redress of claims denied.
 - 4. The notice of availability of additional information pursuant to Rules XVIII and XIX.

Rule XVIII Annual Disclosure of Financial, Actuarial and Operational Status

The Secretary shall prepare and distribute to the Board of Trustees an annual disclosure of the financial, actuarial and operational status of the Retirement System. The annual disclosure shall be kept available for public examination. The annual disclosure must contain:

- A. The name of each member of the Board of Trustees and a brief description of how each member was selected.
- B. Financial statements and notes to the financial statements prepared in conformity with generally accepted accounting principles.
- C. An unqualified opinion rendered by a certified public accountant that the financial statements are in conformity with generally accepted accounting principles.

**Cincinnati Retirement System
Rules of the Board of Trustees**

- D. Actuarial schedules and notes to the actuarial schedules in conformity with generally accepted actuarial principles and practices for measuring pension obligations.
- E. An opinion by a qualified actuary that the actuarial schedules are complete and accurate to the best of the actuary's knowledge, that assumptions and methods in the aggregate are reasonable, and that the assumptions and methods in combination offer the actuary's best estimate of anticipated experience.
- F. The number of members of the Retirement System by classification (active, retired and deferred).
- G. The name of each actuarial, investment consulting, investment managing and investment custodial firm paid fees in excess of \$1,000 during the calendar year.
- H. A schedule of rates of return, net of manager fees, on the assets of The Retirement System overall and on assets aggregated by asset class (equity, fixed income, alternative investment and cash) over the most recent one-year, three-year, five-year and 10-year periods, to the extent available, and the rates of return on appropriate benchmarks for assets of the Retirement System overall and or each asset class over each period.
- I. A schedule of the sum of the total investment expense and total general administrative expense for the fiscal year expressed as a percentage of the average of the beginning and ending fair value of assets of The Retirement System during the fiscal year and an equivalent percentage for the preceding five fiscal years.
- J. A schedule of the 100 assets held for investment purposes on the last day of the year having the greatest fair value.

Rule XIX Annual Report

The Secretary shall prepare, send to members and persons receiving benefits and make available for public inspection an annual report.

The annual report must contain:

- A. The name of each member of the Board
- B. A summary description of any material modification of the retirement System since the last publication of the Member Handbook.
- C. A concise and accurate compilation of the financial statements, but not the notes, required by Rule XVIII (B).
- D. A restatement of the Summary of Principal Valuation Results, or substantially similar data, as reported by the Retirement System's actuary.
- E. Other material necessary to summarize fairly and accurately the annual disclosure of financial and actuarial status.

Cincinnati Retirement System Rules of the Board of Trustees

Rule XX Benefit Estimates

The Secretary shall provide to each active member annually and upon written request of the member a statement containing information that would permit the member to estimate projected benefits reasonable, to the extent the information is regularly maintained by the Retirement System.

Rule XXI Trustee Education

Recognizing that each Trustee is under a fiduciary obligation to be prudent in discharging the duties of a Trustee, each Trustee is encouraged to further his or her education in matters that come before the Board. The education of a Trustee may include attendance at conferences and seminars sponsored by the National Conference of Public Employee Retirement Systems, the International Federation of

Employee Benefit Plans, and other programs appropriate to advancing the Trustee's knowledge and skills. The decision to attend conferences shall be at the discretion of each Trustee, who must be mindful of a Trustee's fiduciary obligation to incur only costs that are appropriate and reasonable. Reimbursement of actual expenses may not exceed those allowed City of Cincinnati employees. A Trustee may not be reimbursed for the expenses of attending more than two conferences in a year without the prior approval of the Board for the attendance of each additional conference.

Rule XXII Annual Evaluation of Pension Manager and Retained Fiduciaries

The Board shall annually evaluate the performance of the Secretary, the Investment Consultant, the Actuary, each investment manager and all other advisors, consultants and fiduciaries retained by the Board. The performance shall be evaluated according to whether each individual or firm exceeds, fulfills, or fails to fulfill the duties delegated to the individual or firm.

Rule XXIII Adoption and Amendment of the Revised Rules

Upon their adoption by a vote of a majority of the Trustees, these Revised Rules shall supersede the Rules then in existence and to into immediate effect. They may be amended or revised only after notice of the proposed revision or amendment has been introduced at a regular meeting of the Board, held until the next regular meeting and adopted by a vote of a majority of the Trustees.